IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF OHIO EASTERN DIVISION

Larry Estill,

Plaintiff,

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Case No. 2:07cv1095

Michael J. Astrue, Commissioner of Social Security, Judge Michael H. Watson

Defendant.

ORDER

This case is before the Court to consider a Report and Recommendation issued by the Magistrate Judge on December 17, 2008. No objections have been filed to the Report and Recommendation. Therefore, the Court ADOPTS the Report and Recommendation. The Plaintiff's statement of errors is sustained to the extent that this case is remanded to the Commissioner for further proceedings pursuant to 42 U.S.C. §405(g), sentence four.

Michael H. Watson, Judge United States District Court